

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2007-022770

09/20/2013

HON. MARK F. ACETO

CLERK OF THE COURT
M. Scott
Deputy

ARACAJU INC, et al.

DAVID R SCHWARTZ

v.

TRUE NORTH INC, et al.

BRADLEY D WEECH

RYAN W ANDERSON
ROGER C DECKER
ROGER R FOOTE

MINUTE ENTRY

Courtroom 203-SEA

2:03 p.m. This is the time set for telephonic Status Conference in this case. Plaintiffs are not present but are represented by counsel, David R. Schwartz and Matthew White. Defendants are not present but are represented by counsel, Bradley D. Weech.

This matter comes on off the record in the courtroom.

Court and counsel discuss deadlines in this case.

Discussion is held regarding scheduling in this case.

Discussion is held regarding Plaintiff's Motion to Continue in this case. Defense counsel joins in this motion. Mr. Schwartz is heard in response. Mr. Weech is heard in response. Under the above-discussed circumstances,

IT IS ORDERED vacating the Jury Trial currently set to commence on October 22, 2013 at 8:15 a.m. and continuing the Trial to **December 2, 2013 at 8:15 a.m.** before:

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THE HONORABLE MARK F. ACETO
SUPERIOR COURT OF ARIZONA
SOUTHEAST COURTHOUSE
COURTROOM 203
222 E. JAVELINA
MESA, AZ 85210

Estimated length of trial: **5 days**.

IT IS FURTHER ORDERED vacating the Final Pretrial Conference currently set on October 4, 2013 at 1:30 p.m. and resetting same to **November 8, 2013 at 3:30 p.m.**

The Court proceeds off the record.

Mr. Weech is heard regarding the appeal.

ADDITIONAL ORDERS

IT IS FURTHER ORDERED as follows:

Motions in Limine. The deadline for motions in limine has passed.

Compliance with Rule 16(d). The parties must comply with Rule 16(d), ARCP. Failure to comply with this rule may very well result in a finding of waiver. For example, the Court may very well find that the parties have waived the right to submit any jury instruction not submitted by the deadline established by Rule 16(d).

Witness Information Form. The parties must jointly prepare a Witness Information Form in the form specified below. In addition to the names of witnesses, the parties must provide estimates of the length of each witness's testimony. The Witness Information Form must be filed as an attachment to the Joint Pretrial Statement.

Court reporter requests. Any party requesting that a court reporter be present for trial must include this request in the Joint Pretrial Statement.

Presence at Final Pretrial Conference. Lead trial counsel and any self-represented party must be present in court for the Final Pretrial Conference.

Marking exhibits. **No later than the deadline for the joint pretrial statement, each party must present to the clerk of this division both (1) all exhibits that party will**

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use at this trial and (2) a written list with a brief description of each exhibit.

Exhibits are assigned a number and are not designated as plaintiffs or defendants. The clerk will mark the exhibits in an order that corresponds to the above described lists, but not necessarily as anticipated by the parties, e.g. if defendant's exhibits arrive first, a defense exhibit might be identified as Exhibit 1. If the parties desire input and foreknowledge regarding precise exhibit numbers to be assigned by the court, they should arrange for a joint meeting with the division's clerk no later than the deadline for the joint pretrial statement at which time party representatives will provide their exhibits and the above described lists.

An enlargement may be used for demonstrative purposes; however an 8 ½ x 11 size copy of the enlargement must be submitted with the other exhibits. Placeholders will not be accepted and exhibit numbers will not be reserved for exhibits not initially presented. The parties shall ensure that there are no duplicate exhibits. Failure to follow the procedure for submitting trial exhibits may result in the exclusion of the party's exhibits at trial.

Courtroom equipment. Please contact this Division's Judicial Assistant well in advance of trial to discuss logistics regarding your electronic presentation equipment at **(602) 506-5261**.

WITNESS INFORMATION FORM

WITNESSES FOR PLAINTIFF(S)

	WITNESS NAME	DIRECT	CROSS
1			
2			
3			
4			

DIRECT & CROSS TOTAL: _____

WITNESSES FOR DEFENDANT(S)

	WITNESS NAME	DIRECT	CROSS
1			

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2			
3			
4			

DIRECT, REDIRECT & CROSS TOTAL: _____

TOTAL WITNESS TIME ESTIMATE: _____

2:30 p.m. Matter concludes.